

REMARKS

I. Observation regarding specification

The Examiner requests Applicants' cooperation in correcting any errors of which they become aware in the specification. Applicants appreciate this observation and will advise their representative of any such errors which they become aware of for handling, who in turn will propose any appropriate clarifications. As of this writing their representative has not received such instructions.

II. 35 USC 112 First Paragraph Rejection of Claims 1,2,5-9,12,14, and 16

The aforementioned claims are rejected as indicated above, as the Examiner is concerned that the specification does not reasonably provide enablement for black colorants where the ratio of anthraquinone dye to monoazo complex dye is greater than 5:1.

Coapplicant Orient Chemical confirms that there is pertinent description about this limitation (the ratio of anthraquinone dye to monoazo dye being required from 5:1 to 1:1) at lines 18 to 26, page 15. a colorant of the present invention is required to be transparent to a laser beam with a main wavelength in the infrared region (800nm to 1200nm) while a thermoplastic resin composition of the present invention for molding a transparent part to be welded with an opaque part which may be prepared as described at part of lines 2, page 16 through line 11, page 17 by a laser beam along a joining zone, should provide uniform black appearance when molded. Therefore, its not possible to prepare black colored thermoplastic resin composition associated with the laser welding if the ratio of different dyes is outside the range. Accordingly, Applicants must incorporate the limitations of Claim 13 and previously cancelled Claim 4 (both directed to this ratio) into Claim 2; support for the change is as noted elsewhere in this paragraph.

III. 35 USC 112 Second Paragraph Rejection of Claims 13,15,17, and 18

The aforementioned claims are rejected as indicated above, as the Examiner considers these claims indefinite due to lack of specifying whether the ratios are weight ratios, mole ratios, volume ratios, etc.

In response thereto, Applicants have carefully reviewed the specification and have confirmed that these ratios are in fact weight ratios. Such a limitation is clearly supported at portions of line 31, page 12 through line 3, page 14 and in the examples. Applicants have amended the claims to reflect this specific ratio designation (although Claim 13 has been cancelled, see below), and commend the Examiner for noting the need for this change.

IV. 35 USC 102(b) Rejection of Claims 1,5,7 and 16 under Balliello et al

The aforementioned claims are rejected as indicated above, as the Examiner considers the cited reference as anticipatory. Further the Examiner suggests that regarding Claims 1 and 7, the limitation that the article is for laser beam welding does not differentiate the claimed product from a prior product satisfying the claimed structural limitations.

Applicants wish to note that Balliello et al disclose a water-soluble, anionic dye containing sulfonic acid groups for the use of dyeing or printing textile materials, especially wool and polyamide, which is represented by formula (I) at column 8 of Balliello et al, but which is not amine salts. The present invention differs from the disclosure of Balliello et al that as described at parts of lines 25 to 29, page 2 and lines 38, page 5 to line 6, page 6, amine salts of anthraquinone dyes of formula [I] and [II] of the present invention are soluble in a thermoplastic resin, and transparency of the composition at diode laser beam wavelength is improved by mixing amine salts of anthraquinones with monoazo complex dyes. Given these significant distinctions, it is respectfully submitted that Balliello et al do not pertain to the instant invention, and that all rejections of this section may be withdrawn.

V. 35 USC 102(b) and 103(a) Rejections of Claim 8 under Balliello et al

The aforementioned claim is rejected as indicated above, as the Examiner considers the cited reference as both anticipatory and making obvious the subject matter of the claim. The Examiner reasons that the reference teaches all limitations of the claim other than the formation of the article by laser welding. However the Examiner continues, where the prior art reasonably appears identical or only slightly different from the product claimed in a product-by-process claim, the burden is on Applicants to present evidence substantiating a difference.

Applicants incorporate by reference the discussion of Balliello et al from section (IV) above as if fully set forth in this section (V). Applicants posit that in view of the important and significant distinctions between the reference and the instant invention, and particularly the lack of any teaching of amine salts in Balliello et al, this reference neither anticipates nor renders the obvious the instant invention. As to obviousness, Balliello et al would actually seem to teach away from the instant invention given the lack of focus on amine salts. Applicants again respectfully submit that the rejections of this section may be withdrawn.

VI. 35 USC 103(a) Rejection of Claims 17 and 18 and Claim 6 under Balliello et al

The aforementioned claims 17 and 18 are rejected as indicated above, as the Examiner considers the cited reference to disclose all limitations of these claims other than the ratio at which the dyes are to be mixed. The examiner considers this feature as obvious optimization of dye ratios. Moreover, the aforementioned claim 8 is considered unpatentable over Balliello et al in view of the Encyclopedia of Polymer Science and Engineering, cited for its disclosure of the use of reinforcing fillers to nylons to improve performance and usefulness.

Applicants incorporate by reference the discussion of Balliello et al from section (V) above as if fully set forth in this section (VI). Given the limitations of Balleilo et al there is nothing in the passage from the Encyclopedia of Polymer Science and Engineering to address this deficiency. Applicants again respectfully submit that the rejections of this section may be withdrawn.

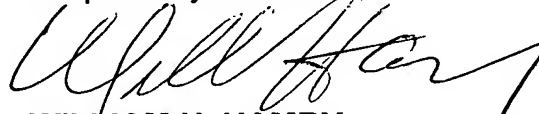
VI. Claims 13 and 15 Indicated as Containing Allowable Subject Matter

The aforementioned claims are indicated as containing allowable subject matter, if rewritten to overcome the 35 USC 112, second paragraph rejection and to include the limitations of the base claim and any intervening claims. Applicants appreciate the indication of allowability from the Examiner. Applicants have in fact cancelled Claim 13 as this limitation is now reflected in Claim 2. Applicants would take this opportunity to note, that inasmuch as Claim 13 (depending from Claim 2) was considered allowable, now Claim 2 (which incorporates the limitations of Claim 13) and all claims depending therefrom should also be deemed allowable at this time.

Therefore, Applicants respectfully submit that the instant claims as amended are in condition suitable for allowance and that the case may pass to issuance.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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